

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

In re:

JESSE CHARLES LAY

S.S. No.: xxx-xx-2665

Mailing Address: 500 GUY WALKER WAY, Durham, NC 27703-

Case No. 10-80953

Debtor.

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor has filed for relief under Chapter 13 of the United States Bankruptcy Code on May 28, 2010.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtor's proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: July 7, 2010

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s John T. Orcutt

John T. Orcutt
N.C. State Bar No. 10212
Counsel for the Debtor
6616-203 Six Forks Rd.
Raleigh, N.C. 27615
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

CH. 13 PLAN - DEBTS SHEET
(MIDDLE DISTRICT - DESARDI VERSION)

Date: 4/14/10

LastName-SS#: Lay-2665

RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

Retain	Creditor Name	Sch D #	Description of Collateral
	Golds Gym		Gym Membership
	Sprint		Cellular Service

SURRENDER COLLATERAL

Creditor Name	Description of Collateral

ARREARAGE CLAIMS

Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)
				**
				**
				**
				**
				**
				**
				**
				**

REJECTED EXECUTORY CONTRACTS/LEASES

Creditor Name	Description of Collateral

LTD - DOWN PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				N/A	n/a		
				N/A	n/a		
	HOA	3	\$47	N/A	n/a	\$47.00	Residence
				N/A	n/a		

STD - SECURED DEBTS @ FMV

Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				5.00			
				5.00			
				5.00			
				5.00			

STD - SECURED DEBTS @ 100%

Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	910-The Money Store	4	\$5,000	5.00	\$45	\$106.07	2001 GMC Yukon
				5.00			
				5.00			
				5.00			
				5.00			

ATTORNEY FEE (Unpaid part)	Amount
Law Offices of John T. Orcutt, P.C.	\$2,500
SECURED TAXES	Secured Amt
IRS Tax Liens	
Real Property Taxes on Retained Realty	
UNSECURED PRIORITY DEBTS	Amount
IRS Taxes	\$7,764
State Taxes	\$7,980
Personal Property Taxes	
Alimony or Child Support Arrearage	
CO-SIGN PROTECT (Pay 100%)	Int. % Payoff Amt
All Co-Sign Protect Debts (See*)	
GENERAL NON-PRIORITY UNSECURED	Amount**
DMI= \$1,916	\$114,960

PROPOSED CHAPTER 13 PLAN PAYMENT

\$ **\$2,514** per month for **60** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **1.06** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

* Co-sign protect on all debts so designated on the filed schedules.

** = Greater of DMI x ACP or EAE

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Ch13Plan_MD (DeSardi Version 1/12/10) © LOFTO

Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

CERTIFICATE OF SERVICE

I, WILLIAM MCDONALD, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

All the creditors set forth on the mailing matrix filing in this case.

/s WILLIAM MCDONALD
WILLIAM MCDONALD

North Carolina Department of Revenue
c/o NC Department of Justice
Post Office Box 629
Raleigh, NC 27602-0629

Internal Revenue Service (ED)**
Post Office Box 21126
Philadelphia, PA 19114-0326

Citimortgage, Inc.***
Post Office Box 9438
Gaithersburg, MD 20898-9438

Employment Security Commission
Attn: Benefit Payment Control
Post Office Box 26504
Raleigh, NC 27611-6504

US Attorney's Office (ED)**
310 New Bern Avenue
Suite 800, Federal Building
Raleigh, NC 27601-1461

Credit Bureau of Greensboro**
Post Office Box 26140
Greensboro, NC 27402-0040

Credit Bureau
Post Office Box 26140
Greensboro, NC 27402

1st National Credit Card
500 East 60th Street North
Sioux Falls, SD 57104

Credit Collection Services
Two Wells Avenue
Dept. 9136
Newton Center, MA 02459

NC Child Support
Centralized Collections
Post Office Box 900006
Raleigh, NC 27675-9006

Accounts Receivable Management, Inc
P.O. Box 561
Thorofare, NJ 08086-0561

Credit Financial Services
Post Office Box 530
Durham, NC 27702-0530

Equifax Information Systems LLC
P.O. Box 740241
Atlanta, GA 30374-0241

Arrow Financial Services, LLC
5996 West Touhy Avenue
Niles, IL 60714

Credit Financial Services
Post Office Box 451
Durham, NC 27702-0451

Experian
P.O. Box 2002
Allen, TX 75013-2002

Bank of America
450 American Street
Simi Valley, CA 93065

Credit Management, LP
4200 International Parkway
Carrollton, TX 75007-1906

Innovis Data Solutions
Attn: Consumer Assistance
P.O. Box 1534
Columbus, OH 43216-1534

Bank of America Loans Servicing
7105 Corporate Drive
Plano, TX 75024-4100

Durham County Tax Collector
Post Office Box 3397
Durham, NC 27701

Trans Union Corporation
P.O. Box 2000
Crum Lynne, PA 19022-2000

Capital One
Post Office Box 85015
Richmond, VA 23285-5075

Enhanced Recovery
10550 Deerwood Park Blvd
Suite 600
Jacksonville, FL 32256

ChexSystems
Attn: Consumer Relations
7805 Hudson Road, Ste. 100
Woodbury, MN 55125

Citibank **
Post Office Box 6500
Sioux Falls, SD 57117-6500

Enterprise Leasing Co Southeast
5715 Westpark Drive
Ste 200
Charlotte, NC 28217-3564

First Premier Bank
3820 North Louise Avenue
Sioux Falls, SD 57107-0145

NCO Financial
P.O. Box 41466
Philadelphia, PA 19101

The Money Shoppe
211 N. Graham Street
P.O. Box 1012
Graham, NC 27253

Golds Gym
4700 Emperor Blvd
Durham, NC 27703

North Carolina Department of Revenue
c/o Reginald S. Hinton
Post Office Box 25000
Raleigh, NC 27640-5000

Tidewater

Grove Park HOA
300 Nichols Farm Road
Durham, NC 27703

North Carolina Dept of Revenue**
Post Office Box 1168
Raleigh, NC 27602-1168

Tidewater Credit Services
Post Office Box 13306
Chesapeake, VA 23325

HSBC Card Services **
Post Office Box 5250
Carol Stream, IL 60197-5222

Portfolio Recovery Associates ***
120 Corporate Boulevard
Ste. 100
Norfolk, VA 23502

Time Warner Cable
Attn: Collections
2505 Atlantic Avenue
Raleigh, NC 27604

Internal Revenue Service (MD)**
Post Office Box 21126
Philadelphia, PA 19114-0326

Sprint Nextel-Correspondence*****
Attn: Bankruptcy Department
Post Office Box 7949
Overland Park, KS 66207-0949

United Recovery Systems, Inc.
5800 North Course Drive
Houston, TX 77072-1613

John T. Orcutt
6616-203 Six Forks Road
Raleigh, NC 27615

State Employees Credit Union ***
Attn: Bankruptcy Department
P.O. Box 25279
Raleigh, NC 27611

US Attorney's Office (MD)**
Middle District
Post Office Box 1858
Greensboro, NC 27502-1858

Kross, Lieberman and Stone, Inc.
Post Office Box 17449
Raleigh, NC 27619-7449

SunTrust DDA Recovery Dept
Post Office Box 26150/VA-RIC-9394
Richmond, VA 23260-6150

Veterans Administration (Middle)**
Regional Office
251 North Main Street
Winston-Salem, NC 27155

Navy Federal Credit Union
One Security Place
Merrifield, VA 22119-0001

Tate & Kirlin Associates
2810 Southhampton Road
Philadelphia, PA 19154

Wake Radiology Diagnostic Imagi
Post Office Box 19368
Raleigh, NC 27619-9368

NCO Fin/99
Post Office Box 41466
Philadelphia, PA 19101

The Money Shoppe
211 N. Graham Street
Graham, NC 27253